

(b) The Lieutenant Governor shall, while he acts as President of the Senate, receive for his services the same compensation and mileage which shall be allowed to the members of the Senate, and no more *unless the Texas Ethics Commission recommends and the voters approve a higher salary in which case the salary is that amount*; and during the time he administers the Government, as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. *An increase in the emoluments of the office of Lieutenant Governor does not make a member of the Legislature ineligible to serve in the office of Lieutenant Governor.*

(c) The President, for the time being, of the Senate, shall, during the time he administers the Government, receive in like manner the same compensation, which the Governor would have received had he been employed in the duties of his office.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment creating the Texas Ethics Commission and authorizing the commission to recommend the salary for members of the legislature and the lieutenant governor, subject to voter approval, and to set the per diem for those officials, subject to a limit."

Adopted by the Senate on February 27, 1991, by the following vote: Yeas 26, Nays 3; May 27, 1991, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 27, 1991, House granted request of the Senate; May 27, 1991, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1. Adopted by the House, with amendment, on May 27, 1991, by the following vote: Yeas 148, Nays 0; May 27, 1991, House granted request of the Senate for appointment of Conference Committee; May 27, 1991, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 0, one present not voting.

Filed with the Secretary of State, May 29, 1991.

### S.J.R. No. 11

#### SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article VII of the Texas Constitution is amended by adding Section 4A to read as follows:

*Sec. 4A. (a) On application to the School Land Board, a natural person is entitled to receive a patent to land from the commissioner of the General Land Office if:*

*(1) the land is surveyed public free school fund land, either surveyed or platted according to records of the General Land Office;*

*(2) the land was not patentable under the law in effect immediately before adoption of this section;*

*(3) the person acquired the land without knowledge of the title defect out of the State of Texas or Republic of Texas and held the land under color of title, the chain of which dates from at least as early as January 1, 1941; and*

*(4) the person, in conjunction with his predecessors in interest:*

*(A) has a recorded deed on file in the respective county courthouse and has claimed the land for a continuous period of at least 50 years as of January 1, 1991; and*

*(B) for at least 50 years has paid taxes on the land together with all interest and penalties associated with any period of delinquency of the taxes; provided, however, that in the event that public records concerning the tax payments on the land are unavailable for any period within the past 50 years, the tax assessors-collectors of the taxing jurisdictions in which the land is located shall provide the School Land Board with a sworn certificate stating that, to the best of their knowledge, all taxes have been paid for the past 50 years and there are no outstanding taxes nor interest or penalties currently due against the property.*

*(b) The applicant for the patent must submit to the School Land Board certified copies of his chain of title and a survey of the land for which a patent is sought, if requested to do so by the board. The board shall determine the qualifications of the applicant to receive a patent under this section. On a finding by the board that the applicant meets the requirements of Subsection (a) of this section, the commissioner of the General Land Office shall award the applicant a patent. If the applicant is denied a patent, he may file suit against the board in a district court of the county in which the land is situated within 60 days from the date of the denial of the patent under this section. The trial shall be de novo and not subject to the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes), and the burden of proof is on the applicant.*

*(c) This section does not apply to beach land, submerged or filled land, or islands and may not be used by an applicant to resolve a boundary dispute. This section does not apply to land that, pursuant to an action filed previous to the date of an application for patent thereon, was found by a court of competent jurisdiction to be state owned or to land on which the state has given a mineral lease that is in effect on the date of an application for patent thereon. A patent under this section for land within five miles of mineral production shall reserve minerals to the state in the same manner provided by law for reservations of minerals in sales to good faith claimants of unsurveyed school land within five miles of production.*

*(d) Application for a patent under this section must be filed with the School Land Board before January 1, 1993.*

*(e) This section is self-executing.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 5, 1991. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the commissioner of the General Land Office to issue patents for certain public free school fund land held in good faith under color of title for at least 50 years."

Adopted by the Senate on March 21, 1991, by the following vote: Yeas 27, Nays 0.

Adopted by the House on May 22, 1991, by the following vote: Yeas 132, Nays 1, one present not voting.

Filed with the Secretary of State, May 24, 1991.

## S.J.R. No. 15

### SENATE JOINT RESOLUTION

proposing a constitutional amendment to authorize the exemption from ad valorem taxation of property owned by a nonprofit water supply or wastewater service corporation.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. Article VIII of the Texas Constitution is amended by adding Section 1-k to read as follows:

*Sec. 1-k. The legislature by general law may exempt from ad valorem taxation property owned by a nonprofit corporation organized to supply water or provide wastewater service that provides in the bylaws of the corporation that on dissolution*